

Remarks

1. Summary of Office Action

In the office action mailed November 15, 2005, the Examiner rejected claims 1-14 on grounds of obviousness type double-patenting over U.S. Patent No. 6,718,178, the Examiner rejected claims 1, 3-5, 7-8, and 11-13 under 35 U.S.C. § 103(a) on grounds of obviousness over a combination of U.S. Patent No. 6,349,140 (Ushiyama) and U.S. Patent No. 5,768,276 (Diachina), and the Examiner rejected claims 2, 9, and 10 under 35 U.S.C. § 103(a) on grounds of obviousness over a combination of Ushiyama and U.S. Patent Application Pub. No. 2004/0117831 (Ellis).

The Examiner further objected to claim 6 as being dependent from a rejected base claim but indicated that claim 6 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

2. Interview Summary

The undersigned held a brief telephone interview with the Examiner on November 30, 2005, continued briefly on December 2, 2005, to clarify aspects of the office action.

We first discussed the double patenting rejection, and the Examiner noted that the office action included a typographical error where the Examiner referred to the parent patent. There, the Examiner inadvertently mentioned subject matter regarding another matter (related to single mode and dual mode cards). During the interview, the Examiner requested the undersigned to disregard that inadvertent mention. The undersigned also indicated that Applicant would be filing a terminal disclaimer to overcome the obviousness-type double patenting rejection.

We next discussed the claim objections and the allowable subject matter. The Examiner confirmed that if Applicant amends claim 1 to include the subject matter of claim 6, then claim 1

and its dependent claims would be allowed. The Examiner further noted that claim 14 included a typographical error, in that claim 14 should have depended from claim 7 rather than from claim 5, and the Examiner indicated that this is why the office action did not clearly include a rejection or objection of claim 14. To simplify matters, the Examiner suggested that Applicant cancel claims 6-14 and add the subject matter of claim 6 into claim 1, to make claims 1-5 allowable.

3. Response to Double Patenting Rejection

In response to the obviousness-type double patenting rejection, Applicant submits herewith a terminal disclaimer.

4. Response to Claim Objection and Claim Rejections

In response to the Examiner's objection of claim 6, Applicant has amended independent claim 1 to include all of the limitations of claim 6, and Applicant has cancelled claim 6. As a result, claim 1 now recites the subject matter of claim 6 that the Examiner indicated would be allowable. Claim 1 is thus now in condition for allowance.

Claims 2-5 all depend ultimately from claim 1 and are thus allowable for at least the same reasons that claim 1 is allowable.

In addition to canceling claim 6 (in favor of claim 1), Applicant has cancelled claims 7-14. Thus, the rejections of claims 7-14 are now moot.

By making the amendments noted above, Applicant does not acquiesce in the claim rejections. However, Applicant has made the claim amendments without prejudice in order to expedite prosecution.

Now pending in this application are claims 1-5, of which claim 1 is independent and the remainder are dependent. For the foregoing reasons, Applicant submits that all of the pending

claims 1-5 are now in condition for allowance, and thus Applicant respectfully requests notice to that effect.

Should the Examiner wish to discuss any aspect of this application, the Examiner is welcome to call the undersigned at (312) 913-2141.

Respectfully submitted,

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By: 

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